



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



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Director

June 5, 2014

TO: Esther L. Valadez, Chair
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FROM: Bruce Durbin, Supervising Regional Planner
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**SUBJECT: TECHNICAL UPDATE TO TITLE 22
PROJECT NO. R2011-00518-(1-5)
ADVANCE PLANNING CASE NO. 201100007
JUNE 18, 2014 – AGENDA ITEM #6**

Project Summary

The Technical Update to Title 22 (Technical Update) is a project to reorganize, clarify, and simplify Title 22 – Planning and Zoning. The Technical Update will not add or modify uses or development standards and will not incorporate policy memos. The Project Summary contains a more detailed description of the Technical Update (attached).

Public Hearing Format

The Technical Update proposes to divide the existing code in to three Volumes: Volume I – Countywide Provisions, Volume II – Community Standards Districts, and Volume III – Specific Plans. This phase of the Technical Update focuses on Volume I - Countywide Provisions. Given the extent and quantity of materials to consider, Ordinance Studies Section Staff (OS Staff) divided the nine Divisions in Volume I into a series of four presentations for your Commission's review. A tentative schedule is listed below.

<i>Tentative Volume I Public Hearing Schedule</i>	
<i>Public Hearing Date</i>	<i>Divisions Scheduled for Review</i>
June 18, 2014	Divisions 8 and 9
July 30, 2014	Divisions 3 and 7
August 20, 2014	Divisions 1, 2, 4, 5 and 6
October 29, 2014	Divisions 1-9

Divisions 3, 7, 8, and 9 best exemplify the Technical Update's objectives and reflect the project's most dramatic changes. At the conclusion of today's public hearing, OS Staff recommends that your Commission continue the public hearing until July 30, 2014 or to a later date certain.

The next phase of the Technical Update will focus on Volume II and Volume III. A public hearing to review these Volumes is scheduled for January 2015.

June 18, 2014 Technical Update Topics

Summary of Division 8 and Division 9

Back in January 2012, OS Staff presented to your Commission an early draft of the Technical Update. That draft proposed to streamline and standardize each permit in the existing code in to one of five uniform “Type Permits” and consolidated administrative processing procedures, all within a single Division. After extensive review and commentary by Department Staff and County Counsel, OS Staff determined that implementing “Type Permits” would require extensive changes to Title 22 and administrative processing procedures, both of which are out of the scope of the Technical Update.

In response, OS Staff developed a new proposal and informed your Commission in March 2013. The new proposal retained most of the permits in the existing code and replaced “Type Permits” with “Type Reviews”. This proposal also maintained the project objective, to consolidate administrative processing procedures, by assigning one of five “Type Reviews” or a set of specific “Administrative Procedures” to process applications. OS Staff presented a revised draft, including Division 8 - Permits, Reviews, and Legislative Actions and Division 9 – Administration, to your Commission in October 2013.

Since October 2013, OS Staff further revised Division 8 and Division 9 (attached) based on input from Department Staff. Although the Technical Update retained most of the permits in the existing code, it modified the nomenclature of seven procedures:

- Site Plan Review
- Discretionary Site Plan Review
- Discretionary Site Plan Review with Notification
- Revised Exhibit “A”s
- Special Events Permits
- Ordinance Amendments
- Plan Amendments

These seven procedures are based on both the existing code and long-standing Department practice. For example, in the existing code, “Director’s Review” represents one of any three review processes – ministerial, discretionary, or discretionary with notification. The Technical Update clarifies “Director’s Review” by removing the term from Title 22 and designating it as either “Site Plan Review”, “Discretionary Site Plan Review”, or “Discretionary Site Plan Review with Notification” based on the administrative processing procedures in the existing code. Modifying nomenclature and designating a specific review procedure provides certainty to the Department and the applicant and sets expectations as to what requirements and procedures will be needed to file and process the application.

Individual Notes on Division 8

Division 8 contains 24 permits and reviews. Modifications include:

- Application filing requirements were removed from Title 22 and transferred to individual application checklists.
- Application review, public hearing, and notification procedures were moved from individual permits and reviews and centralized and standardized in Division 9.
- Findings statements were uniformly converted to positive statements (application shall be approved if the findings are made) instead of negative statements (application shall be denied if the findings are not made).
- References to County Departments were updated.

- References to the number of days were standardized:
 - Working days were converted to calendar days.
 - Months were converted to 30 day increments.

Modifications to specific permits in Division 8 include:

- Director's Review was replaced with three specific review procedures - "Site Plan Review", "Discretionary Site Plan Review", or "Discretionary Site Plan Review with Notification".
- Lot Line Adjustments were updated to include both ministerial and discretionary review processes, at the request of the Department.
- Minor Conditional Use Permits were updated to clarify the processes for denial and request of a public hearing.
- Parking Permits were updated to remove the errors and inconsistencies that occurred when Minor Parking Deviations were added to Title 22.
- Zone Changes and Amendments were split in to three parts (1) Ordinance Amendments, (2) Plan Amendments, and (3) Zone Changes.
- Adult Business Permits and Nonconforming Uses, Buildings and Structures were updated with standard processing procedures through references to Division 9.
- Coastal Development Permits retained the same section numbers and were not updated because any updates would require approval by the California Coastal Commission.

Individual Notes on Division 9

Division 9 contains information on Title 22 administrative procedures, including:

- The roles and responsibilities of the officials (Board of Supervisors, Regional Planning Commission, Director of Planning, Hearing Officer, and Hearing Examiner) that administer the Zoning Ordinance.
- Administrative Procedures and Type Reviews.
- Procedures for ordinance amendments, appeals, revocations, modifications, and enforcement.
- Procedures for the collection and administration of fees for library and law enforcement facilities.

For more detailed information on permits and Type Review assignments, please refer to Chapter 22.164 (Type Reviews and This Title 22) in Division 9.

Collaboration

Throughout the entire project, OS Staff emphasized collaboration with Department Staff. Collaboration ensured that the Technical Update remained true to its objectives and that the project had broad support from Department Staff. In addition to seeking input on specific questions from Department Staff and answers for legal and technical questions from County Counsel, OS Staff obtained general and specific input from both the Technical Update Focus Group and volunteers from Department Staff.

The Technical Update Focus Group was the "backbone" of this project's collaborative efforts. The Technical Update Focus Group, comprised of representatives from the Department's four operating divisions, poured over volumes of material to provide guidance and direction for the

project. The Technical Update Focus Group was the primary decision maker for questions identified by OS Staff during the course of this project. When significant, any decisions made by the Technical Update Focus Group were cleared with County Counsel.

OS Staff also sought out additional volunteers from Department Staff. These volunteers reviewed the entire draft Technical Update and commented on the accuracy and merits of the project. This review generated over 2,000 comments on Volume I, and those comments have been archived and documented for additional scrutiny as the project proceeds through the adoption process. These volunteers also tested the Technical Update, such as ensuring that Division 8 and Division 9 were compatible and functioned smoothly and properly. Testing also helped OS Staff determine if Technical Update modifications were comparable to existing practice.

Environmental Document

This project is categorically exempt from CEQA requirements per State CEQA Guidelines Section 15305 (Class 5, Minor Alterations in Land Use Limitations), and per Guidelines Section 15061(b)(3). The project is administrative in nature and has no physical effect on the environment.

Public Notification

On May 16, 2014 notice of public hearing was published in the Antelope Valley Press and the LA Times. On May 17, 2014 and May 20, 2014, notice of public hearing was published in LA Opinion. On May 19, 2014, OS Staff sent a courtesy public hearing notice to 1,800 emails. These emails include community groups, the 88 cities in incorporated Los Angeles County, and the contact list from the Green Building Program.

Public Comments

OS Staff received two comments. The first comment requested that OS Staff review Chapter 22.180 on Modifications and Revocations for an omission. OS Staff determined that a section had been omitted from the existing code and that OS Staff would update the draft. The second comment requested information on how the Technical Update would affect a specific property. Since the Technical Update will not add new uses, standards, nor incorporate policy memos, the specific property is not affected.

Staff Recommendation

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

OS Staff recommends that the public hearing on the Technical Update to Title 22, referred to as Project Number R2011-00518(1-5), be continued to July 30, 2014 and that the focus of that hearing be Division 3 - Zones and Division 7 – Standards for Specific Uses.

I MOVE THAT THE REGIONAL PLANNING COMMISSION CONTINUE THIS MATTER, THE TECHNICAL UPDATE TO TITLE 22, TO JULY 30, 2014 AND THAT THE FOCUS OF THAT HEARING BE DIVISION 3 - ZONES AND DIVISION 7 – STANDARDS FOR SPECIFIC USES.
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